

# **IN THE MATTER OF THE PHARMACY (NORTHERN IRELAND) ORDER 1976**

**Before the Fitness to Practise Committee of the Pharmaceutical**

**Society of Northern Ireland**

**In the matter of GERARD CULLINAN**

## **REVIEW OF INTERIM ORDER TERMS**

On 21 March 2024, in accordance with Rule 38(14) of the Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (Northern Ireland) 2012, it is agreed between the parties that an Interim Conditions Order made on 1st July 2020, for a period of 18 months, and which was extended by the High Court of Northern Ireland on 15 December 2021 for a period of 12 months from 1 January 2022, and which was further extended by the High Court of Northern Ireland on 13 December 2022 for a period of 12 months from 1 January 2023, and again extended by the High Court of Northern Ireland on 13 December 2023 for a period of 12 months from 31 December 2023 in relation to Gerard Cullinan's registration should continue in the terms set out below.

The conditions contained in the Order made on 1st July 2020 and amended on 25th May 2021, and set out below, are unaltered and shall remain in force until 1st January 2024 or upon further review.

The parties agree that this Order can be made by the Statutory Committee without the need for a hearing pursuant to Rule 38(14) of the Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (Northern Ireland) 2012.

### **CONDITIONS**

1. To notify the following people, in writing, in relation to any work (whether paid or unpaid) for which registration with the Pharmaceutical Society of Northern Ireland is required, of the restrictions imposed on your pharmacy practice:
  - All employers or contractors.
  - Prospective employers or contractors.
  - Agents acting on behalf of employers and locum agencies.
  - Health and Social Care Board.
  - Accountable Officer for Controlled drugs at your Regional Board, HSC Trust or Independent Hospital.
  - Superintendent Pharmacist.
  - Responsible Pharmacist.
  - Line Manager.
  - Workplace supervisor.

In the case of prospective employers, this notification must be given at the time of application.

2. To notify the Pharmaceutical Society of Northern Ireland before undertaking any position for which registration with the Pharmaceutical Society of Northern Ireland is required and to provide the Pharmaceutical Society of Northern Ireland with the contact details of your employer, superintendent pharmacist or pharmacist owner.
3. To consent to the Pharmaceutical Society of Northern Ireland exchanging information with your employer, any locum agency, Health and Social Care Board or any other person or organisation for who you provide services that require registration with the Pharmaceutical Society of Northern Ireland.
4. To inform the Pharmaceutical Society of Northern Ireland if you apply to work as a pharmacist/pharmacy technician outside of Northern Ireland.
5. To complete and maintain a log detailing every, dispensing or supply of a controlled drug made by you pursuant to condition 10. <sup>1</sup> To provide a copy of this log to the Pharmaceutical Society of Northern Ireland every two months, or alternatively, to confirm that there has been no such order, dispensing or supply.
6. Not to work as a sole practitioner/Superintendent Pharmacist/responsible pharmacist
7. To employ a full-time pharmacist to act as Superintendent Pharmacist (such person to be approved by the Pharmaceutical Society of Northern Ireland) in Castlereagh Pharmacy, 339 Castlereagh Road, Belfast, BT5 6AB
8. To place yourself and remain under the direct supervision of a workplace supervisor / Superintendent Pharmacist (who shall be a registered pharmacist) whilst on pharmacy premises, such person to be approved by the Pharmaceutical Society of Northern Ireland.
9. To inform, in writing, the workplace supervisor/ Superintendent Pharmacist of all conditions imposed.
10. Not to make up, complete any check on or otherwise dispense any controlled drug or POM, unless under the direct supervision of your workplace supervisor / Superintendent Pharmacist.
11. Not to order into the pharmacy, or otherwise place an order for, any controlled drug or POM.
12. To put in place a system whereby a contemporaneous record is maintained of who places an order for the supply into the pharmacy of any controlled drug or POM.

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<sup>1</sup>A controlled drug has the meaning assigned by Section 2 of the Misuse of Drugs Act 1971, 1 and includes any substance or product for the time being specified in Part I, II or III of Schedule 2.

13. To arrange for your workplace supervisor/Superintendent Pharmacist to keep under review the controlled drugs register for Castlereagh Pharmacy, 339 Castlereagh Road, Belfast, BT5 6AB.
13. To arrange for your workplace supervisor/Superintendent Pharmacist to report directly to the Pharmaceutical Society of Northern Ireland immediately if there is any breach of these conditions, identifying the nature and extent of the breach.
14. To consent to the Pharmaceutical Society of Northern Ireland to exchange information with your workplace supervisor / Superintendent Pharmacist.
15. Not to enter, or be on, pharmacy premises situate at Castlereagh Pharmacy 339 Castlereagh Road, Belfast, BT5 6AB outside of normal business hours (i.e., 9am-6pm Monday to Saturday).
16. To have no involvement in the operation or management of any pharmacy, and in particular, Castlereagh Pharmacy 339 Castlereagh Road, Belfast, BT5 6AB and to relinquish all operational and managerial control of Castlereagh Pharmacy to the superintendent, save for matters involving employment of staff, payment of bills and PAYE matters.
17. To relinquish all keys and means of access to Castlereagh Pharmacy and to inform (in writing) the superintendent that you are not permitted to be on or have access to Castlereagh Pharmacy outside of normal business hours. A copy of the written notification to the superintendent shall be supplied to the Society on a forthwith basis.
18. To arrange for the superintendent, on a weekly basis, to provide a statement of compliance to the Society (to be provided on the Monday following the week to which the statement refers) certifying that you have not had any access to Castlereagh Pharmacy outside of normal business hours and have no managerial or operational control over the pharmacy, save for matters involving employment of staff, payment of bills and PAYE matters.

This interim Order may be subject to review by the Statutory Committee pursuant to Paragraph 8 (2)(b) of Schedule 3 of the Pharmacy (Northern Ireland) Order 1976.

26 March 2024